

JCWSCS 2 2 MAR 2004

251 North Avenue West, 2nd Floor
Westfield, New Jersey 07090
Tel.: (908) 518-7700
Fax: (908) 518-7795

Mayer Fortkort & Williams, PC
Attorneys At Law

Fax

To: Office of Initial Patent Examination Filing **From:** Joanne Ryan

Receipt Corrections

Fax: 703-746-9195

Pages: 9(including cover)

Phone:

Date: March 22, 2004

Re: 10/715,767

CC: [Click here and type name]

☐ **Urgent** ☒ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

PRIVACY AND CONFIDENTIALITY NOTICE

The information contained in this communication is confidential and may be legally privileged. It is intended solely for the use of the individual or entity to whom it is addressed and others authorized to receive it. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance on the contents of this information is strictly prohibited.

If you received this communication in error, please immediately notify us by a collect telephone call to the writer and return the original message and documents to us at the above address via the United States postal service.

Please see attached:

- (1) Letter requesting correction of Filing Receipt, 2 pp.
- (2) Copy of Filing Receipt with correction indicated, 2 pp.
- (3) Copy of executed Declaration, showing correct city of residence, 4 pp.

I hereby certify that this correspondence is being filed via facsimile with the Office of Initial Patent Examination Filing Receipt Corrections, facsimile number 703-746-9195.

Date 3/22/04 Sig: Joanne Ryan
Name: Joanne Ryan

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT(S): Izuo Horai et al.

SERIAL NO.: 10/715,767

FILING DATE: 11/18/2003

TITLE: SURFACE INSPECTION METHOD AND SURFACE INSPECTION APPARATUS

DOCKET: 414023US

Office of Initial Patent Examination
Filing Receipt Corrections
Facsimile no.: 703-746-9195

LETTER

This is in response to receipt of the filing receipt dated 02/19/2004. Please make the following corrections to the receipt:

Correct the city of residence of the first-named applicant, Izuo Horai, to:


Kanagawa-ken

This correction is indicated on the attached filing receipt copy.

A copy of the executed Declaration indicating that Kanagawa-ken was provided as the city of residence for applicant Horai is attached.

It is respectfully requested that a corrected filing receipt be promptly issued that properly reflects the correct city of residence for first-named applicant Horai.

Respectfully submitted,



Keum J. Park Reg. No. 42,059
Mayer, Fortkort & Williams PC
251 North Avenue West, 2nd Floor
Westfield, NJ 07090

Date: March 22, 2004
Tel: (908) 518-7700
Fax: (908) 518-7795



UNITED STATES PATENT AND TRADEMARK OFFICE

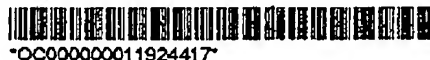
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/715,767	11/18/2003	2878	770	414023US	4	20	2

CONFIRMATION NO. 5256

27774
MAYER, FORTKORT & WILLIAMS, PC
251 NORTH AVENUE WEST
2ND FLOOR
WESTFIELD, NJ 07090

FILING RECEIPT



0000000011924417

Date Mailed: 02/19/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kanagawa-ken

Izuo Horai, ~~Odawara-shi~~, JAPAN;
Kenji Aikou, Kanagawa-ken, JAPAN;
Kyoichi Mori, Kanagawa-ken, JAPAN;

Domestic Priority data as claimed by applicant

Foreign Applications

JAPAN P 2002-333057 11/18/2002

If Required, Foreign Filing License Granted: 02/18/2004

Projected Publication Date: 05/27/2004

Non-Publication Request: No

Early Publication Request: No

Title

Surface inspection method and surface inspection apparatus

Preliminary Class
250

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Docket No.: 414023US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare, of my own knowledge or on information and belief, that:

My residence, post office address and country of citizenship are as stated below next to my name;

I am the original, first and sole inventor, if only one inventor is identified below, or an original, first and joint inventor, if more than one inventor is identified below, of the subject matter which is claimed and for which a patent is sought and which is entitled:

SURFACE INSPECTION METHOD AND SURFACE INSPECTION APPARATUS

and which is described and claimed:

 X in the attached application including specification and claims if this line is marked, or
 in the original specification and claims filed
on as U.S. Patent Application
Number or PCT International Application Number .

I have reviewed and understand the contents of the specification and the claims;

I acknowledge the duty to disclose information that is material to the examination of the application in accordance with 37 CFR §1.56(a). The text of 37 CFR §1.56(a) states,

"A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection

Docket No.: 414023US

with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine: 1) prior art cited in search reports of a foreign patent office in a counterpart application, and 2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office;"

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Provisional Application No.: _____

Filing Date: _____

This application is a continuation pursuant to 35 USC §120 of each prior application (if any is identified) identified as follows:

U.S. Serial No.: _____

U.S. Filing Date: _____

Status: _____

This application is a continuation-in-part pursuant to 35 USC §120 of each prior application (if any is identified) identified as follows:

U.S. Serial No.: _____

U.S. Filing Date: _____

Status: _____

and I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 CFR §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I claim foreign priority, pursuant to 35 USC §119(a)-(d) of an application for patent or inventor's certificate, and identify below said application (if any is identified) and any such foreign application (if any is identified) having a filing date before that of the application on which foreign priority is claimed;

Application No: _____

P 2002-333057

Country: _____

Japan

Filing Date: _____

November 18, 2002

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true, and I am warned that willful false statements and the like are punishable by fine or imprisonment, or both, (18 USC §1001) and may jeopardize the validity of the application or any patent issuing thereon.

Docket No.: 414023US

I hereby appoint Michael P. Fortkort (35,141), Stuart H. Mayer (35,277), Karin L. Williams (36,721), David B. Bonham (34,297), James Prizant (Reg. No. 34,067) and Heather L. Mansfield (Reg. No. 39,157), whose post office address is: Mayer Fortkort & Williams, PC., 251 North Avenue West, 2nd Floor, Westfield, New Jersey 07090, or their duly appointed associate, my attorneys or agents with full powers of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the Letters Patent, and to transact all business in the U.S. Patent and Trademark Office in connection therewith.

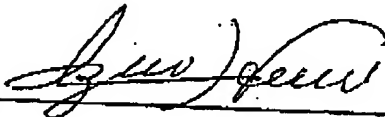
Direct Telephone calls to: Michael P. Fortkort 703-435-9390

Direct all correspondence to the address:

Mayer Fortkort & Williams, PC
251 North Avenue West, 2nd Floor
Westfield, NJ 07090

Docket No.: 414023US

SIGNATURE PAGE

Izuo Horai  10/10/03
Full Name of First Inventor Inventor's Signature Date
Japan / 6-10, Satsukigaoka, 794-44, Otake, Odawara-shi, Kanagawa-ken, Japan
Citizenship / Residence
As above
Post Office Address

Kenji Aikou Kenji Aikou 10/10/03
Full Name of Second Inventor (If Any) Inventor's Signature Date
Japan / 3-9-6, Midorigaoka, Ninomiya-machi, Naka-gun, Kanagawa-ken, Japan
Citizenship / Residence
As above
Post Office Address

Kyoichi Mori Kyoichi Mori 10/10/03
Full Name of Third Inventor (If Any) Inventor's Signature Date
Japan / 219-7, Hongou, Kokufu, Oiso-machi, Naka-gun, Kanagawa-ken, Japan
Citizenship / Residence
As above
Post Office Address

DECLARATION AND POWER OF ATTORNEY

Page 4/4